

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KEYBANK NATIONAL ASSOCIATION,

Plaintiff

vs.

ELEMENT TRANSPORTATION LLC, f/k/a
ELEMENT FINANCIAL CORP.
(DELAWARE)

and

ELEMENT FLEET MANAGEMENT CORP.,
f/k/a ELEMENT FINANCIAL CORP.
(ONTARIO),

Defendants.

USDC SDNY
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DOC #:
DATE FILED 12-14-16

Civil Action No.: 16-cv-08958-
JFK

ECF Case

**JOINT STIPULATION AND [PROPOSED] ORDER
EXTENDING TIME FOR DEFENDANTS TO ANSWER, MOVE OR
OTHERWISE RESPOND TO THE COMPLAINT**

WHEREAS, the Complaint in this action was filed on November 17,
2016;

WHEREAS, Defendant Element Transportation LLC was served with the
Summons and Complaint on November 29, 2016;

WHEREAS, Defendant Element Transportation LLC's time to answer,
move against, or otherwise respond to the Complaint is on or before December 20, 2016;

WHEREAS, Defendant Element Fleet Management Corp. agreed to
accept service of the Complaint without prejudice on December 8, 2016;

WHEREAS, Defendant Element Fleet Management Corp.'s time to
answer, move against, or otherwise respond to the Complaint would therefore be on or
before December 29, 2016;

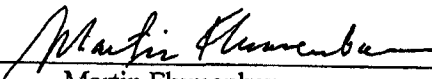
WHEREAS, the parties have not filed any prior request for an adjournment or an extension of time in this action;

IT IS HEREBY STIPULATED AND AGREED by and among the undersigned counsel for the parties to this action, as follows:

1. Defendants' time to answer, move against, or otherwise respond to the Complaint shall be extended to January 13, 2017.
2. Defendant Element Fleet Management Corp. agrees to accept service of the Complaint without prejudice.
3. Nothing herein shall be deemed to constitute a waiver by Defendants of any defenses in this action. Defendants reserve all arguments and defenses in this action.

Dated: December 14, 2016
New York, New York

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*Attorneys for Plaintiff
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SO ORDERED:


U.S.D.J.

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